



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

# Memorandum

Subject: Small Business Subcontracting Plan  
Contract Number: DTFH68-03-C-00036  
INFORMATION: AZ PRA ORPI 101(1) &  
12(1), Twin Peaks Rd & N. Puerto Blanco Dr.

Date: July 25, 2003

From: Brenda McGehee *bjm*  
Acquisition Program Specialist  
Lakewood, Colorado

In Reply Refer To:  
HFAC-16

To: Sean M. Moss, Director (S-40)  
Office of Small and Disadvantaged Business Utilization  
Federal Highway Administration

As required by TAR 1219.705-6, attached is a copy of the approved Small Business Subcontracting Plan for the subject contract.

The subject contract, designated AZ PRA ORPI 101(1) & 12(1), Twin Peaks Road and North Puerto Blanco Drive located in Organ Pipe Cactus National Monument, Pima County, Arizona, is for 8.59 km of grading, drainage, aggregate surfacing, pavement, and 13 low water crossings. The contract was awarded to FNF Construction, Inc. on July 15, 2003 in the amount of \$1,753,577.50.

Attachment

cc: Harvey Bostwick (HCO-16)

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## SMALL BUSINESS SUBCONTRACTING PLAN

SOLICITATION OR PROJECT # AZ PRA ORPI 10(1) & 12(1) DATE July 7, 2003

## Contractor's Name and Address:

FNF Construction, Inc.  
115 S. 48th Street  
Tempe, Arizona 85281

CONTRACT NUMBER: DTFH68-03-C-00036

The following, together with any attachments, is hereby submitted as a Subcontracting Plan to satisfy the applicable requirements of Public Law 95-507.

1. (a) The following goals will be applicable to any contract awarded as a result of this solicitation.

	Dollars	% of (1)
(1) Total dollars planned to be subcontracted	\$64,142	
(2) Total dollars planned to be subcontracted to Small Business Concerns (SB)	\$17529	1%
(3) Total dollars planned to be subcontracted to Small Disadvantaged Business Concerns (SDB)	\$17529	1%
(4) Total dollars planned to be subcontracted to Women-owned Small Business Concerns (WOSB)	\$17529	1%
(5) Total dollars planned to be subcontracted to HUBZone Small Business Concerns (HUB)	\$17529	1%
(6) Total dollars planned to be subcontracted to Veteran-owned/Service-disabled Veteran-owned Small Business Concerns (VET)/(SDVET)	\$17529	1%

In the event that you are not utilizing any of the above small business concerns, please state reason in section (b) below and describe method of determination.

## (b) Principal types of work to be subcontracted.

Type of Work (i.e. paving, fence, etc.)	Proposed Subcontractor If known	Type of Concern SB SDB WOSB HUB VET/SDVET	Estimated Cost
Striping	Pavement Marking, Inc	N/A	\$5,250.00
Fence	Canyon Fence	N/A	\$14,284.00
Signs, Delineators Wheelstops	United Rentals	N/A	\$8,758.00

\*FNF Construction is still looking for subcontractors for quality control, pipe work, magnesium chloride, barriers, and trucking. We did not receive any quotes from Disadvantaged Businesses. We did place two advertisements one in the Dodge Greensheets/Construction News West and in Construction Market Data. We also contacted some DBE/W/M/Hubzone companies by telephone and received no response. FNF is now and will continue throughout this project to solicit sub bids from the Disadvantaged Business categories listed above.

- (c) Do the above estimated costs include indirect costs? ☐ Yes ☒ No. If yes, describe the method used to determine the proportionate share of indirect costs to be included with (2) SB, (3) SDB, (4) WOSB, (5) HUB, and (6) VET/SDVET concerns.
- (d) The following method was used in developing subcontract goals (i.e., statement explaining how the product and service areas to be subcontracted were established, how the SB, SDB, WOSB, HUB, and VET/SDVET small business concerns' capabilities were determined, and identification of source lists and organizations contacted to obtain SB, SDB, WOSB, HUB, and VET/SDVET sources.)  
The items to be subcontracted are specialty items that as prime contractor FNF Construction does not usually perform. The subcontractors listed have successfully performed for FNF Construction in the past and had the lowest overall pricing package.

2. The following individual will administer the subcontracting program:

Name: Thomas N. Billings

Title: Vice President

Address: 115 S. 48th Street Tempe, Arizona 85281

Telephone: (480) 784-2910

This individual's specific duties, as they relate to the firms' subcontracting program, are as follows:

Makes sure that the company complies with all subcontracting requirements, complies with all EEO and other government regulations with hiring, and complies with all OSHA regulations.

General overall responsibility for review, monitoring, and execution of the plan, including but not limited to:

- (a) Obtaining SB, SDB, WOSB, HUB, and VET/SDVET small business sources from all possible sources.
- (b) Assuring inclusion of SB, SDB, WOSB, HUB, and VET/SDVET firms in all solicitations where applicable.
- (c) Attending or arranging for attendance at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, etc.
- (d) Conducting or arranging for the conduct of motivational training for purchasing personnel pursuant to the intent of Public Law 95-507.
- (e) Monitoring attainment of proposed goals.

- (f) Reviewing solicitations to delete statements, clauses, and other provisions which may tend to prohibit SB, SDB, WOSB, HUB, and VET/SDVET participation.
- (g) To help develop new suppliers, the following duties are added to or deleted from those specified above:
3. The following efforts will be taken to assure that SB, SDB, WOSB, HUB, and VET/SDVET small business concerns will have an equitable opportunity to compete for subcontracts:
- (a) Outreach efforts will be made as follows:
- (i) contacts with minority and small business trade associations,
  - (ii) contacts with business development organizations;
  - (iii) attendance at small and minority business procurement conferences and trade fairs;
  - (iv) sources will be requested from State highway department source lists and/or SBA's PRO-Net system at [www.sba.gov](http://www.sba.gov).
- (b) The following internal efforts will be made to guide and encourage buyers:
- (i) workshops, seminars, and training programs will be conducted;
  - (ii) activities will be monitored to evaluate compliance with this subcontracting plan.
- (c) SB, SDB, WOSB, HUB, and VET/SDVET small business concern source lists, guides, and other data identifying SB, SDB, WOSB, HUB, and VET/SDVET small business concerns will be maintained and utilized by buyers in soliciting subcontracts.
- (d) Additions to (or deletions from) the above listed efforts are as follows:
- There are additional items of work that will be subcontracted. FNF placed advertisements in Construction Market Data and Dodge Greensheets and will continue to solicit sub bids from Small Disadvantaged, DBE, WBE, MBE, HUB, Zone, Disabled VETS, and VET subcontractors for the remaining work.
4. The bidder (offeror) agrees that the clause entitled "Utilization of Small Business Concerns" will be included in all subcontracts which offer further subcontracting opportunities, and all subcontractors, except small business concerns, which receive subcontracts in excess of \$500,000 or in the case of a contract for the construction of any public facility, \$1,000,000, will be required to adopt and comply with a subcontracting plan similar to this one. Such plans will be reviewed by comparing them with the provisions of Public Law 95-507, and assuring that all minimum requirements of an acceptable subcontracting plan shall be determined on a case-by-case basis depending on the supplies/services involved, the availability of potential small and disadvantaged subcontractors, and prior experience. Once approved and implemented, plans will be monitored through the submission of periodic reports, and/or, as time and availability of funds permit, periodic visits to the subcontractor facilities or reviews of applicable records and subcontracting program progress.
5. The bidder (offeror) agrees to cooperate in any studies or surveys as may be required by the contracting agency or the Small Business Administration in order to determine the extent of compliance by the bidder (offeror) with the subcontracting plan. Additionally, the bidder (offeror) agrees to assure that its subcontractors agree to submit Standard Forms 294 and 295.

6. The bidder (offeror) agrees to maintain at least the following types of records to document compliance with this subcontracting plan:
- (a) SB, SDB, WOSB, HUB, and VET/SDVET small business source lists, guides and other data identifying SB, SDB, WOSB, HUB, and VET/SDVET vendors.
  - (b) Organizations contacted for SB, SDB, WOSB, HUB, and VET/SDVET small business sources.
  - (c) On a contract-by-contract basis, records on all subcontract solicitations over \$100,000, indicating on each solicitation (1) whether small businesses were solicited, and if not, why not; (2) whether small disadvantaged businesses were solicited, and if not, why not; (3) whether women-owned small businesses were solicited, and if not, why not; (4) whether HUBZone small businesses were solicited, and if not, why not; (5) whether veteran-owned small businesses were solicited and if not, why not; (6) whether service-disabled veteran-owned small businesses were solicited and if not, why not, and reasons for the failure of solicited SB, SDB, WOSB, HUB, or VET/SDVET small businesses to receive the subcontract award.
  - (d) Records to support other outreach efforts: contacts with Minority and Small Business Trade Associations, Business Development Organizations, and attendance at small and minority business procurement conferences and trade fairs.
  - (e) Records to support internal activities to guide and encourage buyers: workshops, seminars, training programs, and monitoring activities to evaluate compliance.
  - (f) On a contract-by-contract basis, records to support award data submitted to the Government to include name and address of subcontractor.
  - (g) Records to be maintained in addition to the above are as follows:
7. The bidder (offeror) agrees to:
- (a) Assist SB, SDB, WOSB, HUB, and VET/SDVET small business concerns by arranging solicitations, time for the preparation of bids, quantities, specifications, and delivery schedules so as to facilitate the participation by such concerns. Where the bidder's (offeror's) lists of potential SB, SDB, WOSB, HUB, and VET/SDVET small business subcontractors are excessively long, reasonable effort shall be made to give all such concerns an opportunity to compete over a period of time.
  - (b) Provide adequate and timely consideration of the potentialities of SB, SDB, WOSB, HUB, and VET/SDVET small business concerns in all "make-or-buy" decisions.
  - (c) Counsel and discuss subcontracting opportunities with representatives of SB, SDB, WOSB, HUB, and VET/SDVET small business firms.

Plan Prepared by: Thomas N. Billings Date 7/7/03  
Contract Administration

TYPED NAME: Thomas N. Billings  
TITLE: Vice President  
FIRM: FNF Construction, Inc.

Plan Accepted by: [Signature] Date 7/8/03  
FHWA - CFLHD Contracting Officer